NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

In re Reissue Application of: RICHARD J. YARWOOD ET AL.

Date: June 27, 2008

Application No.: 10/635,710
For: PROCESS FOR PREPARING SOLID DOSAGE FORMS FOR UNPALATABLE PHARMACEUTICALS
Filed: August 5, 2003
Group Art Unit: 1616
Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450
Sir:
Applicants hereby appeal to the Board of Patent Appeals and Interferences from the
decision dated <u>December 27, 2007</u> of the Primary Examiner finally rejecting claims <u>24-38</u> .
The item(s) checked below are appropriate.
1. \boxed{X} A Petition for a <u>three</u> month extension of time to respond to the final rejection, together with the \$\frac{1050.00}{200}\$ extension fee under 37 C.F.R. \\$1.17, was filed <u>herewith</u> .
2. A Petition for an additional month extension of time to take further action, together with the \$ extension fee under 37 C.F.R. §1.17, was filed on
3. X Fee \$510.00
Fee \$255.00 (Verified Statement claiming small entity status is enclosed, if not filed previously.)
X Submitted electronically herewith
Not required (fee paid in prior appeal)
Charge to Deposit Account No. 06-1205 (One additional copy of this Notice enclosed herewith)

- 4. X Any prior general authorization to charge an issue fee under 37 C.F.R. 1.18 to Deposit Account No. 06-1205 is hereby revoked. The Commissioner is hereby authorized to charge any additional fees under 37 C.F.R. 1.16 or 1.17 which may be required during the entire pendency of this application, or to credit any overpayment, to Deposit Account No. 06-1205.
- 5. X Applicants' undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address given below.

Respectfully submitted,

/Elizabeth F. Holowacz/ Elizabeth F. Holowacz Attorney for Applicants Registration No. 42,667

FITZPATRICK, CELLA, HARPER & SCINTO 30 Rockefeller Plaza New York, New York 10112-3800

Facsimile: (212) 218-2200

FCHS_WS 2245972v1